

Message Text

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44

ORIGIN TRSE-00

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-02 INR-07

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 STR-04 ITC-01 USIA-06 PRS-01 SP-02

FEAE-00 OMB-01 AF-06 ARA-06 NEA-10 OIC-02 (ISO) R

DRAFTED BY TREAS:DO'CONNELL

APPROVED BY EB/OT/STA:WCLARK, JR.

TREAS:RALBRECHT/WBARREDA

EB/OT/STA:MCJONES

STR:TGRAHAM

EA/ANP:HTNELSON (SUBS)

EB/OT/GCP:RLANDERS (INFO)

EUR/RPE:RBRESLER

E0/IFD/OMA:MTMINNIES

----- 095493

P R 151537Z APR 76

FM SECSTATE WASHDC

TO AMEMBASSY WELLINGTON PRIORITY

INFO USMISSION GENEVA

USDEL MTN GENEVA

USMISSION EC BRUSSELS

C O N F I D E N T I A L STATE 091101

E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJECT: GATT PANELS ON DISC AND RELATED TAX PRACTICES

REF: A) GENEVA 2078, B) GENEVA 2175, C) GENEVA 2308, D)
GENEVA 2501

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1. WILLIAM FALCONER, PERMANENT REPRESENTATIVE TO THE GATT

FROM NEW ZEALAND, IS PRESENTLY SERVING AS A GATT EXPERT ON FIVE-MEMBER GATT PANELS ON DISC (DOMESTIC INTERNATIONAL SALES CORPORATION) AND RELATED TAX PRACTICES OF THE NETHERLANDS, FRANCE AND BELGIUM. FALCONER PARTICIPATED IN THE FIRST PANEL SESSION IN GENEVA ON MARCH 16-18. FALCONER IS DUE TO ROTATE FOR HOME ASSIGNMENT IN MAY PRIOR TO MEETINGS OF PANELS SCHEDULED FOR JUNE 28 - JULY 1 AND JULY 26. US MISSION GENEVA ADVISES THAT FALCONER IS SLATED FOR TRADE POLICY POSITION IN WELLINGTON.

2. REQUEST THAT EMBASSY CONTACT APPROPRIATE GONZ OFFICIALS AND URGE THAT FALCONER BE PERMITTED TO REMAIN AS PANEL MEMBER AND RETURN TO GENEVA FOR REMAINING PANELS MEETINGS OF PROBABLY NO MORE THAN TWO TO THREE DAYS DURATION EACH AT GATT EXPENSE (REF C). FALCONER HAS HEARD OPENING ARGUMENTS AND HIS RESIGNATION FROM PANEL COULD

JEOPARDIZE CONTINUED FUNCTIONING# IT IS DO BTFL PANELS COULD CONTINUE WITH FOUR MEMBER IF FALCONER RESIGNS AND THUS IT IS LIKELY THAT HE WOULD HAVE TO BE REPLACED. REPLACEMENT PROCESS COULD CAUSE EXTREME DELAY. INITIAL COMPOSITION OF PANELS CONSUMED TWO AND A HALF YEARS. IN ADDITION FALCONER APPEARS TO UNDERSTAND THE U.S. POSITION BETTER THAN OTHER PANELISTS. PLEASE ADVISE REACTION ASAP. IF EMBASSY FEELS REQUESTED APPROACH TO GONZ WOULD NOT BE WELL RECEIVED PLEASE SO INFORM DEPARTMENT ASAP. KISSINGER

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Message Attributes

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Margaret P. Grafeld
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EO Systematic Review
04 MAY 2006

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